

(2) The reasons why marine navigation will not be adversely affected if the exemption is granted and if the exemption relates to a local communication system how that system would fully comply with the intent of the concept of the Act but would not conform in detail if the exemption is granted.

[CGD 71-114R, 37 FR 12720, June 28, 1972, as amended by CGD 73-256, 39 FR 9176, Mar. 8, 1974; CGD 88-052, 53 FR 25119, July 1, 1988; CGD 95-057, 60 FR 34150, June 30, 1995; CGD 96-026, 61 FR 33663, June 28, 1996; CGD 97-023, 62 FR 33362, June 19, 1997]

§ 26.09 List of exemptions.

(a) All vessels navigating on those waters governed by the navigation rules for Great Lakes and their connecting and tributary waters (33 U.S.C. 241 et seq.) are exempt from the requirements of the Vessel Bridge-to-Bridge Radiotelephone Act and this part until May 6, 1975.

(b) Each vessel navigating on the Great Lakes as defined in the Inland Navigational Rules Act of 1980 (33 U.S.C. 2001 et seq.) and to which the Vessel Bridge-to-Bridge Radiotelephone Act (33 U.S.C. 1201-1208) applies is exempt from the requirements in 33 U.S.C. 1203, 1204, and 1205 and the regulations under §§ 26.03, 26.04, 26.05, 26.06, and 26.07. Each of these vessels and each person to whom 33 U.S.C. 1208(a) applies must comply with Articles VII, X, XI, XII, XIII, XV, and XVI and Technical Regulations 1-9 of "The Agreement Between the United States of America and Canada for Promotion

of Safety on the Great Lakes by Means of Radio, 1973."

[CGD 72-223R, 37 FR 28633, Dec. 28, 1972, as amended by CGD 74-291, 39 FR 44980, Dec. 30, 1974; CGD 83-003, 48 FR 7442, Feb. 18, 1983; CGD 91-046, 57 FR 14486, Apr. 21, 1992]

PART 27—ADJUSTMENT OF CIVIL MONETARY PENALTIES FOR INFLATION

Sec.

- 27.1 Applicability.
- 27.2 Effective date.
- 27.3 Penalty Adjustment Table.

AUTHORITY: Pub. L. 101-410, 104 Stat. 890 as amended by Pub. L. 104-134; 49 CFR 1.45, 1.46.

SOURCE: CGD 96-052, 62 FR 16700, Apr. 8, 1997, unless otherwise noted.

§ 27.1 Applicability.

This part applies to each statutory provision under the laws administered by the Coast Guard concerning the maximum civil monetary penalty which may be assessed in either civil judicial or administrative proceedings.

§ 27.2 Effective date

The increased penalty amounts set forth in this rule apply to all violations under the applicable statutes and regulations which occur after May 7, 1997.

§ 27.3 Penalty Adjustment Table

The adjusted statutory penalty provisions and their maximum applicable amounts are set out in Table 1. The last column of the table provides the newly effective maximum penalty amounts.

TABLE 1.—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS *

U.S. Code citation	Civil monetary penalty description	New maximum penalty amount
14 U.S.C. 88(c)	Saving Life and Property	5,500
14 U.S.C. 645(h)	Confidentiality of Medical Quality Assurance Records (first offense)	3,000
14 U.S.C. 645(h)	Confidentiality of Medical Quality Assurance Records (subsequent offense).	22,000
33 U.S.C. 471	Anchorage Ground/Harbor Regulations General	110
33 U.S.C. 474	Anchorage Ground/Harbor Regulations St. Mary's River	220
33 U.S.C. 495	Bridges/Failure to Comply with Regulations	1,100
33 U.S.C. 499	Bridges/Drawbridges	1,100
33 U.S.C. 502	Bridges/Failure to Alter Bridge Obstructing Navigation	1,100
33 U.S.C. 533	Bridges/Maintenance & Operation	1,100
33 U.S.C. 1208(a)	Bridge to Bridge Communication	550
33 U.S.C. 1208(b)	Bridge to Bridge Communication	550
33 U.S.C. 1232	PWSA Regulations	27,500
33 U.S.C. 1236(b)	Vessel Navigation: Regattas or Marine Parades	5,500
33 U.S.C. 1236(c)	Vessel Navigation: Regattas or Marine Parades	5,500

TABLE 1.—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS*—Continued

U.S. Code citation	Civil monetary penalty description	New maximum penalty amount
33 U.S.C. 1236(d)	Vessel Navigation: Regattas or Marine Parades	2,500
33 U.S.C. 1319(d)	Pollution Prevention	27,500
33 U.S.C. 1319(g)(2)(A)	Pollution Prevention (per violation)	11,000
33 U.S.C. 1319(g)(2)(A)	Pollution Prevention (total under subparagraph)	27,500
33 U.S.C. 1319(g)(2)(B)	Pollution Prevention (per day of violation)	11,000
33 U.S.C. 1319(g)(2)(B)	Pollution Prevention (total under subparagraph)	137,500
33 U.S.C. 1321(b)(6)(B)(i)	Oil/Hazardous Substances: Discharges (per violation)	11,000
33 U.S.C. 1321(b)(6)(B)(i)	Oil/Hazardous Substances: Discharges (total under paragraph)	27,500
33 U.S.C. 1321(b)(6)(B)(ii)	Oil/Hazardous Substances: Discharges (per day of violation)	11,000
33 U.S.C. 1321(b)(6)(B)(ii)	Oil/Hazardous Substances: Discharges (total under paragraph)	137,500
33 U.S.C. 1321(b)(7)(A)	Oil/Hazardous Substances: Discharges (per day of violation)	27,500
33 U.S.C. 1321(b)(7)(A)	Oil/Hazardous Substances: Discharges (per barrel of oil or unit of hazsub discharged)	1,100
33 U.S.C. 1321(b)(7)(B)	Oil/Hazardous Substances: Discharges	27,500
33 U.S.C. 1321(b)(7)(C)	Oil/Hazardous Substances: Discharges	27,500
33 U.S.C. 1321(b)(7)(D)	Oil/Hazardous Substances: Discharges (per barrel of oil or unit) of hazsub discharged)	3,300
33 U.S.C. 1321(j)	Oil/Hazardous Substances Prevention Regulations	27,500
33 U.S.C. 1322(j)	Marine Sanitation Devices	2,200
33 U.S.C. 1322(j)	Marine Sanitation Devices	5,500
33 U.S.C. 1517(a)	Deepwater Ports Regulations	11,000
33 U.S.C. 1608(a)	International Regulations	5,500
33 U.S.C. 1608(b)	International Regulations	5,500
33 U.S.C. 1908(b)(1)	Pollution from Ships	27,500
33 U.S.C. 1908(b)(2)	Pollution from Ships	5,500
33 U.S.C. 2072(a)	Inland Navigation Rules	5,500
33 U.S.C. 2072(b)	Inland Navigation Rules	5,500
33 U.S.C. 2609(a)	Shore Protection	27,500
33 U.S.C. 2609(b)	Shore Protection	11,000
33 U.S.C. 2716(a)(a)	Oil Pollution Liability and Compensation	27,500
46 U.S.C. 1505(a)	Safe Containers for International Cargo	5,500
46 U.S.C. App 1805(c)(2)	Suspension of Passenger Service	55,000
46 U.S.C. 2110(e)	Vessel Inspection or Examination fees	5,500
46 U.S.C. 2115	Alcohol and Dangerous Drug Testing	1,000
46 U.S.C. 2302(a)	Negligent Operations	1,100
46 U.S.C. 2302(c)(1)	Negligent Operations	1,100
46 U.S.C. 2306(a)(2)(B)(4)	Vessel Reporting Requirements: Owner	5,500
46 U.S.C. 2306(b)(2)	Vessel Reporting Requirements: Master	1,100
46 U.S.C. 3102(c)(1)	Immersion Suits	5,500
46 U.S.C. 3302(j)(5)	Inspection Permit	1,100
46 U.S.C. 3318(a)	Vessel Inspection	5,500
46 U.S.C. 3318(g)	Vessel Inspection	5,500
46 U.S.C. 3318(h)	Vessel Inspection	1,100
46 U.S.C. 3318(i)	Vessel Inspection	1,100
46 U.S.C. 3318(j)(1)	Vessel Inspection	11,000
46 U.S.C. 3318(j)(1)	Vessel Inspection	2,000
46 U.S.C. 3318(k)	Vessel Inspection	11,000
46 U.S.C. 3318(l)	Vessel Inspection	5,500
46 U.S.C. 3502(e)	List/Count of Passengers	110
46 U.S.C. 3504(c)	Notification to Passengers	11,000
46 U.S.C. 3504(c)	Notification to Passengers	550
46 U.S.C. 3506	Copies of Laws on Passenger Vessels	220
46 U.S.C. 3718(a)(1)	Dangerous Cargo Carriage	27,500
46 U.S.C. 4106	Uninspected Vessels	5,500
46 U.S.C. 4311(b)	Recreational Vessels (Maximum for related series of violations)	110,000
46 U.S.C. 4311(b)	Recreational Vessels	2,200
46 U.S.C. 4311(c)	Recreational Vessels	1,100
46 U.S.C. 4507	Vessel Inspection	5,500
46 U.S.C. 4703	Abandonment of Barges	1,100
46 U.S.C. 5116(a)	Load Lines	5,500
46 U.S.C. 5116(b)	Load Lines	11,000
46 U.S.C. 5116(c)	Load Lines	5,500
46 U.S.C. 6103(a)	Reporting Marine Casualties	25,000
46 U.S.C. 6103(b)	Reporting Marine Casualties	5,500
46 U.S.C. 8101(e)	Manning of Inspected Vessels	1,100
46 U.S.C. 8101(f)	Manning of Inspected Vessels	11,000
46 U.S.C. 8101(g)	Manning of Inspected Vessels	11,000
46 U.S.C. 8101(h)	Manning of Inspected Vessels	1,100
46 U.S.C. 8102(a)	Watchmen on Passenger Vessels	1,100
46 U.S.C. 8103(f)	Citizenship Requirements	550

TABLE 1.—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS*—Continued

U.S. Code citation	Civil monetary penalty description	New maximum penalty amount
46 U.S.C. 8104(i)	Watches on Vessels	11,000
46 U.S.C. 8104(j)	Watches on Vessels	11,000
46 U.S.C. 8302(e)	Staff Department on Vessels	110
46 U.S.C. 8304(d)	Officer's Competency Certificates	110
46 U.S.C. 8502(e)	Coastwise Pilotage	11,000
46 U.S.C. 8502(f)	Coastwise Pilotage	11,000
46 U.S.C. 8503	Federal Pilots	27,500
46 U.S.C. 8701(d)	Merchant Mariners Documents	550
46 U.S.C. 8702(e)	Crew Requirements	11,000
46 U.S.C. 8906	Small Vessel Manning	25,000
46 U.S.C. 9308(a)	Pilotage: Great Lakes	11,000
46 U.S.C. 9308(b)	Pilotage: Great Lakes	11,000
46 U.S.C. 9308(c)	Pilotage: Great Lakes	11,000
46 U.S.C. 10104(b)	Failure to Report Sexual Offense	5,500
46 U.S.C. 10307	Posting of Agreements	110
46 U.S.C. 10308(b)	Foreign Engagements by Seamen	110
46 U.S.C. 10309(b)	Replacement of Lost/Deserted Seamen	220
46 U.S.C. 10310	Discharge of Seamen	55
46 U.S.C. 10312(c)	Foreign/Intercoastal Voyages	110
46 U.S.C. 10314(a)(2)	Pay Advances to Seamen	550
46 U.S.C. 10314(b)	Pay Advances to Seamen	550
46 U.S.C. 10315(c)	Allotments to Seamen	550
46 U.S.C. 10321	Seamen Protection: General	220
46 U.S.C. 10505(b)	Advances	550
46 U.S.C. 10508(b)	Seamen Protection: General	22
46 U.S.C. 10711	Effects of Deceased Seamen	220
46 U.S.C. 10902(a)(2)	Complaints of Unfitness	550
46 U.S.C. 10903(d)	Proceedings on Examination of Vessel	110
46 U.S.C. 10907(b)	Permission to Make Complaint	550
46 U.S.C. 11101(f)	Accommodations for Seamen	550
46 U.S.C. 11102(b)	Medicine Chests on Vessels	550
46 U.S.C. 11104(b)	Destitute Seamen	110
46 U.S.C. 11105(c)	Wages on Discharge	550
46 U.S.C. 11303(a)	Log Books	220
46 U.S.C. 11303(b)	Log Books	220
46 U.S.C. 11303(c)	Log Books	185
46 U.S.C. 11506	Carrying of Sheath Knives	55
46 U.S.C. 12122(a)	Identification of Vessels	550
46 U.S.C. 12309(b)	Numbering of Undocumented Vessels	1,100
46 U.S.C. 12507(b)	Vessel Identification System	11,000
46 U.S.C. 14701	Measurement of Vessels	22,000
46 U.S.C. 14701	Registry/Recording: Tonnage	22,000
46 U.S.C. 14702	Measurement/False Statements	22,000
46 U.S.C. 31309	Instruments and Liens	11,000
46 U.S.C. 5123	Hazardous Materials-Relating to Vessels	27,500

* Table may not include all civil monetary penalties. If penalty is not listed, check applicable statute for penalty amount.

[CGD 96-052, 62 FR 16700, Apr. 8, 1997; CGD 96-052, 62 FR 35385, July 1, 1997]